

## CALIFORNIA LEGISLATURE

2019–20 REGULAR SESSION

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# SENATE DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, February 4, 2019

The Senate met at 2:02 p.m.

Hon. Hannah-Beth Jackson, of the 19th District, presiding.

Secretary Erika Contreras at the Desk.

Assistant Secretary Heshani Wijemanne reading.

### **PROCEEDINGS UNDER QUORUM CALL OF THE SENATE**

#### **ROLL CALL**

The roll was called and the following Senators answered to their names:

Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—36.

Quorum present.

*(NOTE: Senator Morrell will be excused this day due to illness in the family. Senator Stone will be excused this day due to illness.)*



**PRAYER**

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Waking up this morning, I smile.

Twenty-four brand new hours are before me.

I vow to live fully in each moment and to look at all beings with eyes of compassion.

(By Thich Nhat Hanh.)

*Holy Mystery*, as we begin another New Year, Chinese New Year, help us to notice the blessings of each day, the opportunities to appreciate each moment, and the gift of compassion that we can give to one another.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Senator Pan led the Senate in the Pledge of Allegiance to the Flag.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Caballero presented a member's resolution to Glenda Humiston, Vice President of the University of California, Division of Agriculture and Natural Resources and recipient of the 2018 California Steward Leader Award.

**SPECIAL INTRODUCTIONS**

Senator Jones introduced Jeff Stine, founder and Chief Executive Officer of Cover Now Law Enforcement Emergency Fund, in honor of his visit to the California State Senate.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Resolution 13**—Relative to Wear Red Day.

Resolution read third time and presented by Senator Durazo.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Rubio introduced Lilly Rocha, heart disease survivor and volunteer with the American Heart Association, in honor of Wear Red Day.

Senator Skinner introduced Hon. Gabrielle Giffords, former Member of the United States House of Representatives from Arizona, in honor of her visit to the California State Senate.

**At 2:26 p.m., Hon. Holly J. Mitchell, of the 30th District, Presiding**

**At 2:26 p.m., Hon. Hannah-Beth Jackson, of the 19th District,  
Presiding**

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
February 4, 2019

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

GAVIN NEWSOM, Governor

MARY E. LESLIE, has been appointed to the California Independent System Operator Governing Board. Leslie has been president of the Los Angeles Business Council since 2002, and was a commissioner at the Los Angeles Department of Water and Power from 2001 to 2003. Leslie served as deputy mayor to Los Angeles Mayor Richard Riordan from 1994 to 1995. She was also the deputy director for the U.S. Small Business Administration, and executive director for the California Economic Development Commission. Leslie was the California finance director for Bill Clinton's presidential campaign in 1992. Appointed 01/17/2019. Effective 01/29/2019.

Member, Independent System Operator Governing Board, vice, Richard Maullin, term expired. Term ending 12/31/2020.



GENEVIEVE A. SHIROMA, has been appointed to the California Public Utilities Commission. Shiroma has been a member of the Agricultural Labor Relations Board since 1999, serving as chair since 2017 and from 2011 to 2014 and 1999 to 2006. Shiroma served as chief of the Air Quality Branch at the California Air Resources Board from 1990 to 1999, and as an air quality engineer from 1978 to 1990. From 1999 to 2018, Shiroma was the elected director of Ward 4 of the Sacramento Municipal Utility District. Appointed 01/22/2019. Effective 01/31/2019.

Member, California Public Utilities Commission, vice, Carla Peterman, term expired. Term ending 01/01/2025.

Above appointments referred to the Committee on Rules.

#### **MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 31, 2019

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 13

E. DOTSON WILSON, Chief Clerk of the Assembly

#### **FIRST READING OF ASSEMBLY MEASURES**

The following measure was read and referred to the Committee on Rules:

**Assembly Concurrent Resolution 13**—Relative to Fred Korematsu Day of Civil Liberties and the Constitution.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Rules**

Senate Chamber, February 1, 2019

Madam President: The Committee on Rules has examined:

SB 57

SCA 2

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, February 4, 2019

Madam President: The Chair of the Committee on Rules, to which was referred:

AJR 1

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ATKINS, Chair



**Second Reading of Bills—Author's Amendments****Assembly Joint Resolution 1**—Relative to Vietnamese refugees.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 204:** By Senator Dodd (Principal coauthor: Assembly Member Frazier) (Coauthors: Senators Galgiani, Glazer, and Pan) (Coauthors: Assembly Members Cooper, Eggman, Grayson, and McCarty)—An act to add Section 6525.5 to the Government Code, and to add Section 147.6 to, and to repeal and add Section 147.5 of, the Water Code, relating to water.

**Senate Bill 205:** By Senator Hertzberg—An act to add Sections 16000.3 and 16100.3 to the Business and Professions Code, and to add Section 13383.10 to the Water Code, relating to business.

**Senate Bill 206:** By Senator Skinner (Coauthor: Senator Bradford)—An act to add Section 67454 to the Education Code, relating to collegiate athletics.

**Senate Bill 207:** By Senator Hurtado (Principal coauthor: Assembly Member Chiu) (Coauthor: Assembly Member Reyes)—An act to add Sections 14132.08, 14132.085, and 14132.09 to the Welfare and Institutions Code, relating to Medi-Cal.

**Senate Bill 208:** By Senator Hueso—An act to add Section 2893.5 to the Public Utilities Code, relating to communications.

**Senate Bill 209:** By Senator Dodd—An act to add Chapter 7.1 (commencing with Section 8669) to Division 1 of Title 2 of the Government Code, and to add Section 8386.3 to the Public Utilities Code, relating to wildfires.

**Senate Bill 210:** By Senator Leyva—An act to add Chapter 5.5 (commencing with Section 44150) to Part 5 of Division 26 of the Health and Safety Code, and to amend Section 27153 of, and to add Sections 4000.17, 4156.5, 24019, 27158.1, and 27158.2 to, the Vehicle Code, relating to vehicular air pollution.



**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS**

**Assembly Concurrent Resolution 3**—Relative to Korean American Day.

Resolution read third time and presented by Senator Chang.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**SPECIAL CONSENT CALENDAR**

**Assembly Concurrent Resolution 10**—Relative to the Reverend Dr. Martin Luther King, Jr.

Resolution read third time.

**Special Consent Calendar Roll Call**

The roll was called and the above resolution was adopted by the following vote:

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Wieckowski introduced members of the California Council of Science and Technology, in honor of Science and Technology Week.

**At 2:37 p.m., Hon. Connie M. Leyva, of the 20th District, Presiding**

**REQUESTS TO BE ADDED TO ROLL CALL**

February 4, 2019

Madam Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

ACR 10—Aye

TONI G. ATKINS, President pro Tempore



**LEAVES OF ABSENCE**

The following Senator was granted leave of absence for the day due to illness in the family: Senator Morrell.

The following Senator was granted leave of absence for the day due to illness: Senator Stone.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH**

At 2:40 p.m., on motion of Senator Wilk, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Wilk moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, February 5, 2019.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, February 4, 2019

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 72

AB 73

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measures were read the first time and referred to the Committee on Rules for assignment:

**Assembly Bill 72**—An act to amend the Budget Act of 2018 (Chapters 29 and 30 of the Statutes of 2018) by amending items 3940-101-0001, 3940-491, 8860-001-0001, and 9210-102-0001 of, and adding items 0650-101-0001, 0690-011-0001, and 0690-103-0001 to, Section 2.00 of, amending Sections 39.00 and 99.50 of, and adding Section 23.20 to, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

**Assembly Bill 73**—An act to amend Section 53.5 of the Civil Code, and to add Section 8690.6 to the Government Code, relating to public safety, and making an appropriation therefor, to take effect immediately, bill related to the budget.



**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 211:** By Senator Beall—An act to amend Section 104.12 of the Streets and Highways Code, relating to state highways.

**Senate Bill 212:** By Senator Allen—An act to amend Sections 5013, 5020, 5027, and 5028 of, and to add Sections 1018, 1019, 1020, 5010, 5032, and 5096 to, the Education Code, to amend Sections 25040, and 25061 of, to add Section 25001 to, and to add Article 4 (commencing with Section 34910) to Chapter 4 of Part 1 of Division 2 of Title 4 of, the Government Code, relating to elections.

The following measure was offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 12:** By Senator Bradford (Coauthor: Senator Mitchell) (Coauthors: Assembly Members Burke, Cooper, Gipson, Holden, Jones-Sawyer, Kamlager-Dove, McCarty, and Weber)—Relative to Black History Month.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Bates requested that when the Senate adjourns this day it do so in memory of Anita Marie Errecarte Arce Forster of San Juan Capistrano.

Senator Bradford requested that when the Senate adjourns this day it do so in memory of Marvin DéAndre Brown II of Los Angeles.

Senators Jackson and Stern requested that when the Senate adjourns this day it do so in memory of Jeffrey L. Dye of Fillmore.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of Stephen Wayne Cramer of Cloverdale.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Wilk, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, February 5, 2019.

NEVA MARIE PARKER, Minute Clerk

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